SAN DIEGO POLICE DEPARTMENT
PROCEDURE

DATE:	July 26, 2016
NUMBER:	1.50
SUBJECT:	FACIAL RECOGNITION
RELATED POLICY:	N/A
ORIGINATING DIVISION:	OPERATIONAL SUPPORT
NEW PROCEDURE:	■
PROCEDURAL CHANGE:	□
SUPERSEDES:	June 19, 2015

I. PURPOSE

This Department procedure establishes guidelines for Department personnel using facial recognition field identification technology.

II. SCOPE

This procedure applies to all members of the Department.

III. BACKGROUND

NEW

San Diego regional law enforcement mobile facial recognition technology was developed for the express purpose of assisting officers in identifying persons lawfully detained for a criminal investigation, when those persons are unwilling or unable to provide proof of their identity.

IV. DEFINITIONS

A. Face First – An Android facial recognition application that operates over secure cellular wireless connectivity. A probe image is acquired then transmitted to the application, where a biometric algorithm compares the probe image with images already on file and associated with personal identifying information. The application then returns a photographic list of potential match candidates back to the officer via the Android device.

The officer reviews the list and makes a judgment, based on a visual assessment, whether the person present matches a photo within the candidate list.

B. TACIDS (Tactical Identification System) – The regional facial recognition system ARJIS, in cooperation with the San Diego Sheriff's Department's Jail Information Management System, maintains in support of legitimate law enforcement efforts to provide public safety.

C. Enrolled image – Sheriff's booking photograph from TACIDS database.

V. PROCEDURES

When practical, and when it will not negatively impact officer safety, law enforcement officers should first request verification of an individual's identity through a query of his or her name, date of birth, and other self-reported identifiers. When verification is not possible, or if the officer reasonably suspects the self-reported information is false, officers may request facial recognition field identification results.

A. Obtaining Probe Images for Comparison

The policy of the San Diego Police Department in regards to taking photographs of individuals is the same for juveniles and adults. An officer may photograph a person either in the field or at a police station under the following conditions:

1. The person is under arrest for a crime; or

2. The person is being lawfully detained as a suspect in a particular crime; or

3. The person is being lawfully detained for a criminal investigation.

B. Requesting Facial Recognition Comparison Information

Officers may request a facial recognition comparison from TACIDS for the following reasons:

1. To identify a suspect of a criminal investigation; or

NEW

2. To aid in locating a missing person; or the identification of an unconscious or unidentified person at a hospital, if identification is time sensitive; such as the person has suffered a life threatening injury and death may be

imminent. (See Procedure 3.17, Section J, 2, f, Unconscious and Unidentified Persons at a Hospital); or

3. To identify an individual for whom a warrant has been issued.

C. Deletion of Stored Images on Device

After completing the request for facial recognition field identification results, the image used for comparison shall be manually deleted from the device used to capture the image.

VI. RESTRICTIONS

A. Law enforcement officers shall not request facial recognition field identification results when an individual presents a valid driver license or state identification card unless:

1. The officer reasonably suspects the driver license or identification card is forged, altered, or otherwise fraudulent; or

2. The officer reasonably suspects the individual is presenting, as his or her own, a driver license or identification card issued to another person.

B. Law enforcement officers shall only access the personal identifying information of an individual whose facial image is contained in the results of a facial recognition field identification query:

1. After determining that the individual's enrolled image reasonably matches the probe image submitted for comparison; or

2. When the personal identifying information of the person in the enrolled comparison photo would reasonably assist the officer in verifying the identity of the person arrested or detained.

C. Dissemination of facial images and other personal identifying information obtained through the use of a facial recognition field identification tool is prohibited, subject only to the following specific exceptions:

1. Public Safety exception – When the Chief of Police reasonably determines that an individual poses a threat of substantial harm to the public, facial images and relevant personal identifying information may be released to the public.

2. Warrant exception – When a warrant has been issued for a known suspect, and the suspect's facial image has been verified, the suspect's facial image may be publicly disclosed for the purpose of locating the suspect or protecting the public.

3. Missing Person exception – Upon verification, the facial image of an individual reported missing may be publicly disclosed to help authorities locate the missing person.

VII. TRAINING

Department Members shall be trained in the following areas prior to utilizing facial recognition field identification:

A. The proper and legal use of facial images for facial recognition purposes;

B. How to take high quality facial images in the field for best results;

C. How to interpret the facial recognition comparison results obtained via a facial recognition field identification tool and not base decisions entirely upon the comparison results;

D. The appropriate use and sharing of information obtained from a facial recognition identification tool; and

E. The deletion of the probe image used for comparison from the device used to capture the image.

Members who have not received this training may not utilize facial recognition field identification technology.